

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- July 13, 1966

Appeal No. 8687 William Cohen et al, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following amendment to the Order in the appeal was entered by the Board at its meeting on July 18, 1966.

EFFECTIVE DATE OF ORDER -- August 16, 1966

ORDERED:

That the Order of June 16, 1966 conditionally granting this appeal for permission to continue operation of a parking lot for a period of five years at 800-814 - 25th Street and 2501-2517 H Street, NW., lots 838, 840, 824, 825, and 836, square 17, be amended to include the following conditions:

- (a) Appellant shall erect a 42 inch masonry wall with brick facing around the lot, except that portion adjacent the Potomac Parkway, and on each side of all driveways and walkway openings.
- (b) Appellant shall landscape the area of the lot adjacent the Potomac Parkwat.
- (c) There shall be no access to the parking lot from the alley, and that portion of the lot abutting the public alley shall be closed with a 42 inch masonry wall with brick facing.

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8687 William Cohen et al, appellants

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on April 27, 1966.

EFFECTIVE DATE OF ORDER: June 16, 1966

ORDERED:

That the appeal for permission to continue operation of parking lot for a period of five years at 800-814 - 25th Street and 2501-2517 H Street, N.W., lots 838, 840, 824, 825, 836, Square 17, be conditionally granted.

As a result of an inspection of the property and from the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) An inspection of the property was made on April 11, 1966.
- (2) The Board found appellants' lot unpaved and in poor condition.
- (3) In Appeal No. 7137, the Board authorized the establishment of this parking lot for a period of three years subject to prescribed conditions.
- (4) Due to a highway construction project in the area, the owners requested that the Board waive the conditions prescribed in Appeal No. 7137, which the Board did on June 9, 1964.
- (5) The record contains no evidence that a certificate of occupancy was ever issued for this parking lot.
- (6) Appellants' lot is located in an R-5-D District and is bounded by an R-5-B District on the north, a C-2 District on the west, and an SP District to the southeast.
- (7) Appellants state that the parking lot is not operated at night.
- (8) The Department of Highways and Traffic offers no objection to the granting of this appeal.
- (9) The Foggy Bottom Association registered opposition to the granting of this appeal. There are three letters in the record expressing objection to the continuation of this parking lot. There was opposition to this appeal at the public hearing.

OPINION:

The Board directs that no certificate of occupancy be issued until the conditions set forth in this Order are complied with. In addition, the lot is not to be used for parking until such time as the conditions prescribed in this Order are complied with. We take this position because we believe that to allow the lot to continue operating without being improved will work an injustice and hardship on the residents of the neighborhood.

We are of the opinion that subject to compliance with the conditions of this Order, operation of this lot will not create any dangerous or otherwise objectionable traffic conditions, that the lot will not have an adverse affect on the present character and future development of the neighborhood and is reasonably necessary and convenient to other uses in the vicinity.

This Order shall be subject to the following conditions:

- (a) Permit shall issue for a period of five years, but shall be subject to renewal in the discretion of the Board upon filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (b) Appellant shall erect a 42" masonry wall with brick facing around the lot excluding all driveways and walkway openings.
- (c) Appellant shall provide a chain across each access to the parking lot, to remain in place during the hours when the lot is closed.
- (d) All areas devoted to driveways, access lanes, and parking areas shall be paved with materials which form an all-weather impervious surface.
- (e) No vehicle or any part thereof shall be permitted to project over any lot or building line or onto the public space.
- (f) All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- (g) No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

- (h) Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.